

Procedures for Election of Tennessee Delegates to the National Party Conventions

Statute Requires Compliance with Party Procedures

Pursuant to T.C.A. § 2-13-318, the legislators expressly intend for the selection of delegates in Tennessee to be governed by the respective national or state party rules. Prior to December 20, 2007, each party executive committee must meet to make appropriate decisions regarding delegates and at-large delegates. On December 20, 2007, the chairperson of each party must certify the following information to the Secretary of State and the Coordinator of Elections:

1. the number of delegates and alternates allocated to the state party by the national party;
2. the number of delegates allocated by the national party to each Tennessee congressional district; and
3. the number of delegates-at-large allocated by the national party. TCA §2-13-303.

The Election Code does not require delegate candidates to be elected by popular vote on the ballot but does require that if a political party has allocated three (3) delegates from each congressional district by national party rules, at least one third (1/3) of the *at-large* delegates must be elected by popular vote on the ballot. TCA §2-13-303(e)(2).

Apart from this requirement, the executive committee of each party may select at-large delegates and alternates by any method authorized by party rules. If the party executive committee chooses a method of selection other than by popular vote, the party executive committee shall meet to implement the method selected after February 12, 2008, but before March 4, 2008. The alternative method used must be by open ballot of the committee members without any secret balloting. TCA §2-13-303(c)(2) further requires that alternates be elected "proportional to the vote for delegates in the party's delegate election."

To obtain more information about the rules of each political party, a person may contact the parties, respectively:

State Democratic Party
223 Eighth Avenue North, Suite 200
Nashville, TN 37203
(615) 327-9779

State Republican Party
2424 21st Avenue South, Suite 200
Nashville, TN 37212
(615) 269-4260

Ballot Presentation

On February 5, 2008, Tennessee will hold the Presidential Preference Primary. On December 20, 2007, after 12:00 noon, the Secretary of State will announce the final list of candidates for president who will appear on the Presidential Preference Primary ballot and will call for the election of delegates to the national conventions for all statewide political parties. TCA §2-13-304(c).

The names of the candidates for president and delegate candidates shall appear on the ballot as follows:

1. The names of the presidential candidates shall be listed vertically within the first two (2) columns for each respective party's primary election. The presidential

candidates' names shall appear alphabetically according to the first initial of their surnames. Within the same columns of each party, there shall be an "Uncommitted" designation immediately following the last listed presidential candidate's name within each party's primary.

2. Within the vertical columns immediately following and below the entire presidential preference listing for that primary, the names of the presidential candidates shall be printed again in vertical columns in alphabetical order according to their surnames. Immediately beneath each presidential candidate's name, the names of the delegate candidates who have qualified to appear on the ballot and who have properly filed their commitment to that candidate must be printed vertically in alphabetical order according to their surnames.

The ballot reflects the names of the presidential candidates a second time only to identify individual delegate candidates committed to the particular candidate. On this part of the ballot, the ballot shall clearly indicate that each voter votes for individual delegate candidates. By the same token, the ballot in each congressional district shall list only those delegate candidates seeking election as a delegate from that district and any at-large delegates. TCA §2-13-311.

In each party's primary, the voter may cast one (1) vote for his or her preference for candidate for president or for the uncommitted designation. However, TCA §2-13-312 permits the voter to vote for as many delegate candidates as there are to be delegates elected from that congressional district. According to the number allocated for any presidential candidate, the delegate candidate(s) receiving the most votes shall be certified as the delegates to their parties' national conventions. TCA §2-13-315.

Nominating Petitions and Other Required Filings

If the political party rules require that delegate candidates be selected by popular election, then persons wishing to be placed on the ballot for that election must comply with the following requirements. ***Currently, only the Republican Party selects its delegates by popular election.***

To qualify as a candidate for delegate to the national convention of a political party, the person must file a nominating petition no later than 12:00 noon, prevailing time, on December 13, 2007. Delegate petitions must be filed in the office of the Secretary of State. However, if the candidate mails the petition, then the petition shall be considered duly filed if postmarked by 12:00 noon, prevailing time, on December 13, 2007. TCA §§2-13-305(a) and (d).

The nominating petition must contain the following:

- The signature of the candidate and one hundred (100) or more registered voters who are eligible to vote to fill the position; and
- The name and address of the candidate.

The appropriate County Election Commission shall verify the validity of each signature. TCA §2-13-305.

Delegate Petition Language

In addition, TCA §2-13-306 requires that delegate candidates' petitions substantially follow a prescribed format. The statute provides that the petition contain the following language:

We, the undersigned registered voters of the state of Tennessee and members of the (respective) party, hereby nominate (candidate's name), of (address) of _____ County, as a candidate for delegate to the national convention of the (respective) party to be voted in the presidential preference primary election to be held on the _____ day of February. We request that the above nominee's name be printed on the official ballot as a candidate for delegate (at large) or (from the _____ congressional district).

[**Note:** Official petitions may be obtained from the office of the Coordinator of Elections, 9th Floor, 312 Eighth Avenue North, William Snodgrass Tower, Nashville, TN 37243; phone (615) 741-7956.]

Declaration of Candidacy

The Tennessee Code also prescribes a format that must be substantially followed by delegate candidates in declaring their candidacies. The following language must be filed along with the nominating petition:

I (candidate's name) declare that I reside in _____ County and am a qualified and registered voter in that county. I further certify that I am a member of the (respective) party and am a candidate for election as a delegate (at large) or (from the _____ congressional district) to the national convention of the (respective) party next to be held for the nomination of candidates of such party for president and vice-president of the United States. I request that my name be printed as such candidate on the official ballot of the (respective) party in this election. I further declare that if elected as a delegate, I will attend such convention unless I shall be prevented by sickness or other occurrence over which I have no control. TCA §2-13-307(a).

As a committed delegate pledged to support a particular presidential candidate, the delegate candidate must name the presidential candidate to whom he or she is committed and the declaration must also include the following language:

I further declare that I am pledged to and a supporter of (name of candidate) and if elected as a delegate will cast my vote for (name of candidate) for at least two (2) ballots if that many ballots are taken. TCA §§2-13-307(b) and 2-13-308.

Furthermore, a committed delegate candidate must submit the presidential candidate's written consent to his or her candidacy as a committed delegate to the Secretary of State no later than 12:00 noon, prevailing time, on December 13, 2007. For each congressional district, each presidential candidate must consent to at least one more and no more than twice the number of delegate candidates being pledged to him or her than the number of delegates allocated to the district. TCA §2-13-309.

Certified copies of each original nominating petition and declaration of delegate candidacy shall be filed by the Secretary of State with the Coordinator of Elections, the chairperson of the State Executive Committee of each candidate's party, and with the chairperson of the State Election Commission.